IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.MC.No. 1400 of 2007

CP.28/2007 PENDING BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, KOTHAMANGALAM)
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PETITIONER: ACCUSED

SASI, AGED 40 YEARS, S/O.RAGHAVAN,
MUNDAKKAL HOUSE, THALIPARA DESOM,
MAMALAKANDAM KARA, KUTTAMPUZHA VILLAGE,
KOTHAMANGALAM TALUK.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT & STATE:

STATE OF KERALA REP.BY EXCISE INSPECTOR,
EXCISE CIRCLE OFFICE, KOTHAMANGALAM,
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

Crl.M.C. NO.1400 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the accused in CP.No.28 of 2007 in the file of the Judicial First Class Magistrate's Court, Kothamangalam with respect to the offence under Section 8(1) an d (2) of the Abkari Act has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he was not aware of the pendency of the case.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Crl.M.C. is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-